

**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

Information for new nonprovisional applications under 37 CFR 1.53(b)

Attorney Docket No. 206445US0CONT

First Inventor or Application Identifier Etsuko M. AGA

Title METHOD FOR INTRODUCING A GENE INTO A PLANT USING AN ADVENTITIOUS BUD REDIFFERENTIATION GENE UNDER THE CONTROL OF A LIGHT-INDUCIBLE PROMOTER AS A SELECTABLE MARKER GENE, AND VECTOR FOR INTRODUCING A GENE INTO A PLANT USING THE SAME

Assignee Name: Nippon Paper Industries Co., Ltd.

Assignee Address: 21-1, Oji 5-chome, Kita-ku, Tokyo, JAPAN

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents

1.  Fee Transmittal Form (e.g. PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2.  Specification Total Sheets **54**
3.  Drawing(s) (35 U.S.C. 113) Total Sheets **5**
4.  Oath or Declaration Total Pages **3**
  - a.  Newly executed (original or copy)
  - b.  Copy from a prior application (37 C.F.R. §1.63(d))  
(for continuation / divisional w/ box 17 completed)
    - i.  DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. §1.63(d)(2) and 1.33(b).
5.  CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
6.  Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)
  - a.  Computer Readable Form (CRF)
  - b. Specification or Sequence Listing on:
    - i.  CD-ROM or CD-R (2 copies); or
    - ii.  Paper
  - c.  Statements verifying identity of above copies

17. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below:

Continuation     Divisional     Continuation-in-part (CIP) of prior application no.: 09/354,305

Prior application information: Examiner: M. Ibrahim

Group Art Unit: 1638

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered a part of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

18. Amend the specification by inserting before the first line the sentence:

- This application is a  Continuation  Division  Continuation-in-part (CIP) of application Serial No. 09/354,305 Filed on July 16, 1999
- Which was published in English
- Which was not published in English
- This application claims priority of provisional application Serial No. Filed

**19. CORRESPONDENCE ADDRESS**



**22850**

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Name:	Norman F. Oblon	Registration No.:	24,618
Signature:	Thomas Cunningham	Date:	5/8/01
Name:	Thomas M. Cunningham, Ph.D.	Registration No.:	45,394

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTOR(S) Etsuko MATSUNAGA, et al.

SERIAL NO: New Application

FILING DATE: Herewith

FOR: METHOD FOR INTRODUCING A GENE INTO A PLANT USING AN ADVENTITIOUS BUD  
 REDIFFERENTIATION GENE UNDER THE CONTROL OF A LIGHT-INDUCIBLE PROMOTER AS A  
 SELECTABLE MARKER GENE, AND VECTOR FOR INTRODUCING A GENE INTO A PLANT USING  
 THE SAME

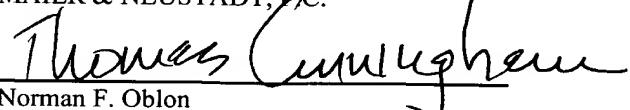
## FEE TRANSMITTAL

ASSISTANT COMMISSIONER FOR PATENTS  
 WASHINGTON, D.C. 20231

FOR	NUMBER FILED	NUMBER EXTRA	RATE	CALCULATIONS
TOTAL CLAIMS	26 - 20 =	6	× \$18 =	\$108.00
INDEPENDENT CLAIMS	3 - 3 =	0	× \$80 =	\$0.00
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS (If applicable)			+ \$270 =	\$0.00
<input type="checkbox"/> LATE FILING OF DECLARATION			+ \$130 =	\$0.00
			BASIC FEE	\$710.00
			TOTAL OF ABOVE CALCULATIONS	\$818.00
<input type="checkbox"/> REDUCTION BY 50% FOR FILING BY SMALL ENTITY				\$0.00
<input type="checkbox"/> FILING IN NON-ENGLISH LANGUAGE			+ \$130 =	\$0.00
<input type="checkbox"/> RECORDATION OF ASSIGNMENT			+ \$40 =	\$0.00
			TOTAL	\$818.00

- Please charge Deposit Account No. 15-0030 in the amount of A duplicate copy of this sheet is enclosed.
- A check in the amount of **\$818.00** to cover the filing fee is enclosed.
- The Commissioner is hereby authorized to charge any additional fees which may be required for the papers being filed herewith and for which no check is enclosed herewith, or credit any overpayment to Deposit Account No. 15-0030.  
A duplicate copy of this sheet is enclosed.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.Norman F. Oblon  
Registration No. 24,618Thomas M. Cunningham, Ph.D.  
Registration No. 45,394Date: 5-8-01**22850**Tel. (703) 413-3000  
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(OSMMN 10/00)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Etsuko MATSUNAGA, et al.

GAU: 1638

SERIAL NO: New Application

EXAMINER: D. S. Rahman

FILED: Herewith

FOR: METHOD FOR INTRODUCING A GENE INTO A PLANT USING AN ADVENTITIOUS BUD  
REDIFFERENTIATION GENE UNDER THE CONTROL OF A LIGHT-INDUCIBLE PROMOTER AS A  
SELECTABLE MARKER GENE, AND VECTOR FOR INTRODUCING A GENE INTO A PLANT USING  
THE SAME

2  
JL  
7-25-01  
w/ attachment  
JC978 U.S. PTO  
09/850091  
05/08/01



## REQUEST FOR PRIORITY

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

SIR:

- Full benefit of the filing date of U.S. Application Serial Number 09/354,305, filed July 16, 1999, is claimed pursuant to the provisions of 35 U.S.C. §120.
- Full benefit of the filing date of U.S. Provisional Application Serial Number , filed , is claimed pursuant to the provisions of 35 U.S.C. §119(e).
- Applicants claim any right to priority from any earlier filed applications to which they may be entitled pursuant to the provisions of 35 U.S.C. §119, as noted below.

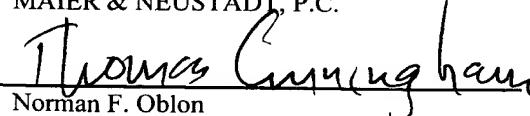
In the matter of the above-identified application for patent, notice is hereby given that the applicants claim as priority:

<u>COUNTRY</u>	<u>APPLICATION NUMBER</u>	<u>MONTH/DAY/YEAR</u>
JAPAN	10-202335	JULY 16, 1998
JAPAN	11-197720	JULY 12, 1999

Certified copies of the corresponding Convention Application(s)

- are submitted herewith
- will be submitted prior to payment of the Final Fee
- were filed in prior application Serial No. 09/354,305 filed July 16, 1999.
- were submitted to the International Bureau in PCT Application Number .  
Receipt of the certified copies by the International Bureau in a timely manner under PCT Rule 17.1(a) has been acknowledged as evidenced by the attached PCT/IB/304.
- (A) Application Serial No.(s) were filed in prior application Serial No. filed ; and  
(B) Application Serial No.(s)
  - are submitted herewith
  - will be submitted prior to payment of the Final Fee

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

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